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*Attorneys for Plaintiffs*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

IMMIGRANT LEGAL RESOURCE CENTER;  
EAST BAY SANCTUARY COVENANT;  
COALITION FOR HUMANE IMMIGRANT  
RIGHTS; CATHOLIC LEGAL IMMIGRATION  
NETWORK, INC.; INTERNATIONAL RESCUE  
COMMITTEE; ONEAMERICA; ASIAN  
COUNSELING AND REFERRAL SERVICE;  
ILLINOIS COALITION FOR IMMIGRANT  
AND REFUGEE RIGHTS,

Plaintiffs,

v.

KRISTI NOEM, *under the title of Secretary of  
Homeland Security*;  
U.S. DEPARTMENT OF HOMELAND  
SECURITY; ANDREW J. DAVIDSON, *under  
the title of Acting Director*; U.S. CITIZENSHIP  
& IMMIGRATION SERVICES,

Defendants.

Case No. 4:20-cv-5883-JSW  
ORDER GRANTING  
~~JOINT STATUS REPORT AND~~  
STIPULATED REQUEST TO CONTINUE  
ABEYANCE

**JURY TRIAL DEMANDED**

1 Subject to the Court’s approval and pursuant to Local Rule 7-12, the parties through their  
2 undersigned counsel of record hereby stipulate and request as follows:

3 1. On February 10, 2021, the Court ordered that the case be “stayed, and all proceedings  
4 held in abeyance, to allow defendant the Secretary of Homeland Security to undertake the review  
5 contemplated by Executive Order 14,012, “Restoring Faith in Our Legal Immigration Systems and  
6 Strengthening Integration and Inclusion Efforts for New Americans,” 86 Fed. Reg. 8,277 (Feb. 5,  
7 2021), signed by President Biden on February 2, 2021. Dkt. 113, at 4. The Court further ordered that  
8 “on or before May 13, 2021, the parties shall file a joint status report indicating whether this case  
9 and all proceedings should continue to be held in abeyance or proposing a schedule for continuing  
10 the litigation.” *Id.*

11 2. Thereafter, the Court entered ten successive orders approving the parties’ joint  
12 requests to continue to hold the case and proceedings in abeyance, on May 13, 2021, September 9,  
13 2021, January 12, 2022, August 1, 2022, October 14, 2022, December 5, 2022, February 8, 2023,  
14 February 14, 2024, May 16, 2024, and December 2, 2024, respectively. *See* Dkt. 117, at 4; Dkt. 119,  
15 at 5; Dkt. 121, at 5; Dkt. 124, at 5; Dkt. 126, at 4; Dkt. 128, at 5; Dkt. 135, at 5; Dkt. 148, at 4; Dkt.  
16 152, at 6; Dkt. 154, at 6. The most recent order directed that “no later than February 13, 2025, the  
17 parties shall file a joint status report indicating whether this case and all proceedings should continue  
18 to be held in abeyance or proposing a schedule for continuing the litigation.” *See* Dkt. 154, at 6.

19 3. On January 31, 2024, DHS issued a final rule to adjust fees for certain USCIS  
20 immigration and naturalization benefit requests (“2024 Final Rule”). *See* 89 Fed. Reg. 6,194 (Jan.  
21 31, 2024). The 2024 Final Rule took effect April 1, 2024. The 2024 Final Rule is being challenged in  
22 *Moody v. Mayorkas*, No. 1:24-cv-00762-CNS (D. Colo. Mar. 19, 2024), and *Civitas Capital*  
23 *Management, LLC v. Mayorkas*, No. 3:24-cv-00984-L (N.D. Tex. Apr. 22, 2024).

24 4. Defendants’ position is that, because the 2024 Final Rule has gone into effect and  
25 entirely replaced the 2020 Final Rule, this case is now moot, notwithstanding the ongoing litigation  
26 in *Moody* and *Civitas*.

27 5. Plaintiffs’ position is that this case is not moot. Plaintiffs’ position is based not only

on the *Moody* and *Civitas* litigation. Among other things, Plaintiffs have not received the full relief available, such as a permanent injunction of the 2020 Final Rule, which DHS has not yet rescinded. *See* 89 Fed. Reg. 6194, 6248 (Jan. 31, 2024) (DHS citing existence of preliminary injunctions as grounds for not rescinding the rule as part of its 2024 rulemaking).

6. Nevertheless, the parties have conferred and agree that, to conserve the parties' and the Court's resources, this case should continue to be held in abeyance until August 13, 2025. This period of time will allow for further discussions between the parties on how to resolve this case and potentially for further developments in *Moody* and *Civitas*. Merits briefing in those cases was completed in December 2024 and January 2025, respectively.

7. The parties jointly request that the Court continue to hold this case and all proceedings in abeyance, and that the parties be permitted to file a joint status report by August 13, 2025.

Respectfully submitted,

Dated: February 12, 2025

/s/ David Goldenberg

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Dated: February 12, 2025

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**LOCAL RULE 5-1(i) ATTESTATION**

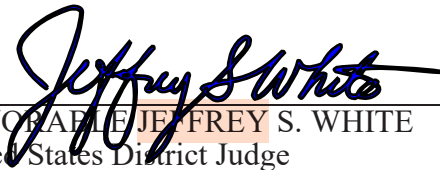
I attest that I have obtained Cynthia Liao's concurrence in the filing of this document.

/s/ David Goldenberg  
David Goldenberg

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that this case shall remain stayed, and all proceedings held in abeyance, to allow the parties to discuss possible resolution of this case. Further, no later than August 13, 2025, the parties shall file a joint status report indicating whether this case and all proceedings should continue to be held in abeyance or proposing a schedule for continuing the litigation.

Date: February 13, 2025

  
HONORABLE JEFFREY S. WHITE  
United States District Judge